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10/074,085	02/12/2002	Kathleen Ann Tucker		6692

7590 04/01/2005  
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EXAMINER

MARTIN, NICHOLAS A

ART UNIT	PAPER NUMBER
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2154

DATE MAILED: 04/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/074,085

Applicant(s)

TUCKER ET AL.

Examiner

Nicholas Martin

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 12 February 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 2/12/02 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

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1. Claims 1-12 are presented for examination.

### ***Drawings***

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include reference sign(s) pertaining to individual parts of each figure in order to be referenced in the description. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Claim Objections***

3. Claims 1-2, 5-6, 9-10 objected to because of the following informalities:
4. Respect to claim 1, the applicant wrote, "...members of the public-at-large can self-initiate...". The examiner interprets the term "can" means possibly but not certainly. Therefore, the examiner reserves the right to give no patentable weight on any limitation right after the term "can".

5. Respect to claim 1, the applicant wrote, "...an Intranet, or an Extranet,...". The referencing of these two types of networks is incorrect it should be listed as "...an intranet, or an extranet...".

6. Respect to claim 2, the applicant wrote, "...a law enforcement agency, can access the system...". The examiner interprets the term "can" means possibly but not certainly. Therefore, the examiner reserves the right to give no patentable weight on any limitation right after the term "can".

7. Respect to claims 5-6 and 9-10, the applicant wrote, "Automatic notification as defined in claim 4 may include..." in claim 5; "...which agency may elect to take action..." and "...an agency may compile statistics..." in claim 6; "The method of global access as defined in claim 8 may ..." in claims 9 and 10. The examiner interprets the term "may" means perhaps, possibly but not certainly. Therefore, the examiner reserves the right to give no patentable weight on any limitation right after the term "may".

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

8. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

9. Claims 1 and 2 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

- a. The following terms lack antecedent basis:
    - i. the public-at-large – claims 1 and 2.
  - b. The claim language in the following claim is murky or not clearly understood:
    - i. As per claim 1, it is not clearly understood whether “the incident” refers one or more incidents “including, but not limited to: victim, witness...”. For the remainder of the examination, it will be viewed as at least one incident.
10. Claims 1-12 are rejected as failing to define the invention in the manner required by 35 U.S.C. 112, second paragraph.
11. The claim(s) are narrative in form and replete with indefinite and functional or operational language. The structure which goes to make up the device must be clearly and positively specified. The structure must be organized and correlated in such a manner as to present a complete operative device. The claim(s) must be in one sentence form only. Note the format of the claims in the patent(s) cited.
12. Regarding claim 2, the phrase “i.e.” renders the claim indefinite because it is unclear whether the limitation(s) following the phrase are part of the claimed invention. See MPEP § 2173.05(d).
13. Regarding claims 3 and 11, the phrase “for example” or “e.g.” renders the claim indefinite because it is unclear whether the limitation(s) following the phrase are part of the claimed invention. See MPEP § 2173.05(d).
14. Regarding claim 3, the word “means” is preceded by the word(s) “The methods of this invention from claim 2” in an attempt to use a “means” clause to recite a claim

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element as a means for performing a specified function. However, since no function is specified by the word(s) preceding "means," it is impossible to determine the equivalents of the element, as required by 35 U.S.C. 112, sixth paragraph. See *Ex parte Klumb*, 159 USPQ 694 (Bd. App. 1967).

15. Regarding claims 3 and 9, the phrase "such as" renders the claim indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention. See MPEP § 2173.05(d). For the remainder of the examination process, "such as" will be seen as enlisting one of the mentioned programs and protocols.

### ***Claim Rejections - 35 USC § 102***

16. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

17. The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

18. Claims 1, 4-8 and 10 are rejected under 35 U.S.C. 102(e) as being anticipated by Stiegemeier et al. (hereinafter Stiegemeier), US 6,192,381.

19. As per claim 1, Stiegemeier teaches a computerized system constructed with state-of-the-art web technologies and database management systems that leverages the public accessibility afforded by the Internet to provide a computerized mechanism by which members of the public-at-large can report an incident (an event - criminal or non-criminal) to one or more law enforcement agencies via the Internet, an intranet, or an extranet, whereby the system captures data pertinent to the incident in the form of a logical association of all elements of the incident (including, but not limited to: victim, witness, reporting party, location, incident type, narrative, modus operandi, incident details, and suspect information) and makes said data available to law enforcement following the automatic notification to one or more law enforcement agencies of the initiation of an incident report; and, provides the ability for one or more law enforcement agencies to access said data across multiple incident reports for collaborative and investigative purposes (Col. 7, lines 43-50; Col. 8, lines 17-29; Col. 10, lines 58-64; Col. 15, lines 19-24, lines 55-67; Col. 16, lines 1-5, lines 15-27, lines 36-64).

20. As per claim 4, Stiegemeier teaches automatic notification as proffered in claim 1 provides the unprecedented ability of a computerized system to automatically notify one or more law enforcement agencies, or other associated agencies, of the submission of an incident report when characteristics of the incident match pre-defined, adjustable parameters; including, but not limited to: location of the incident, location of the victim, type of incident, estimated dollar loss (Col. 6, lines 57-65; Col. 7, lines 43-50; Col. 8,

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lines 17-29; Col. 10, lines 58-64; Col. 15, lines 19-24, lines 55-67; Col. 16, lines 1-5, lines 15-27, lines 36-64; Col. 23, lines 59-67).

21. As per claim 5, Stiegemeier teaches automatic notification as defined in claim 4 may include notification of one or more agencies via one or more methods of communication: messaging between computer systems, integration and data transfer between computer systems, electronic mail, fax, telephony, and/or personal contact by monitoring agency personnel (Col. 6, lines 57-65; Col. 7, lines 43-50; Col. 8, lines 9-10; lines 17-29; Col. 9, lines 55-60; Col. 10, lines 58-64; Col. 15, lines 19-24, lines 55-67; Col. 16, lines 1-5, lines 15-27, lines 36-64; Col. 23, lines 59-67).

22. As per claim 6, Stiegemeier teaches access to data, by law enforcement or other designated agencies, as defined in claim 1 is distinguishable as either: access to data relevant to a single incident report against which an agency may elect to take action, or, as access to data contained in multiple incident reports against which an agency may compile statistics, identify trends, search for relationships and global patterns, correlate commonalities, and utilize for collaborative and investigative purposes (Col. 6, lines 57-65; Col. 7, lines 43-50; Col. 8, lines 9-10; lines 17-29; Col. 9, lines 55-60; Col. 10, lines 58-64; Col. 15, lines 19-24, lines 55-67; Col. 16, lines 1-5, lines 15-27, lines 36-64; Col. 23, lines 59-67; Col. 24, lines 1-6; Col. 27, lines 4-6).

23. As per claim 7, Stiegemeier teaches the method of claim 6 whereby an agency accesses data relevant to a single incident report provides the ability to view, modify, and/or export all logically associated components of the designated incident report (Col. 6, lines 57-65; Col. 7, lines 43-50; Col. 8, lines 9-10; lines 17-29; Col. 9, lines 55-60;



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Col. 10, lines 58-64; Col. 15, lines 19-24, lines 55-67; Col. 16, lines 1-5, lines 15-27, lines 36-64; Col. 23, lines 59-67; Col. 24, lines 1-9; Col. 27, lines 4-6).

24. As per claim 8, Stiegemeier teaches the method of claim 6 whereby an agency accesses data contained in multiple incident reports provides global access to any or all incident report data contained in the data repository and provides the ability to invoke decision support system, data mining, search engine, and reporting tools against any or all incident report data contained in said data repository (Col. 6, lines 57-65; Col. 7, lines 43-50; Col. 8, lines 9-10; lines 17-29; Col. 9, lines 55-60; Col. 10, lines 58-64; Col. 15, lines 1-8, lines 19-24, lines 55-67; Col. 16, lines 1-5, lines 15-27, lines 36-64; Col. 23, lines 59-67; Col. 24, lines 1-9; Col. 27, lines 4-6).

25. As per claim 10, Stiegemeier teaches the method of global access as defined in claim 8 may remain unlimited and thus the domain of the data will be unrestricted and not bound by agency qualifiers or geographical boundaries providing an unprecedented method for interagency collaboration within the global domain of the repository (Col. 6, lines 57-65; Col. 7, lines 43-50; Col. 8, lines 9-10; lines 17-29; Col. 9, lines 55-60; Col. 10, lines 58-64; Col. 15, lines 1-8, lines 19-24, lines 55-67; Col. 16, lines 1-5, lines 15-27, lines 36-64; Col. 23, lines 59-67; Col. 24, lines 1-9; Col. 27, lines 4-6).

### ***Claim Rejections - 35 USC § 103***

26. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

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invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

27. Claims 2-3 and 11-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stiegemeier et al. (hereinafter Stiegemeier), US 6,192,381, in view of Tsumpes, William J. (hereinafter Tsumpes), US 6,442,241.

28. As per claim 2, Stiegemeier teaches a computerized system as defined in claim 1 wherein any person can access the system via the Internet, an intranet, or an extranet connection and thus execute the methods of this invention to self-initiate the creation of an Incident Report comprised of logical data components that when associated as a whole reflect the circumstances of an event (either criminal or non-criminal in nature) witnessed by, experienced by, or in some means known to the person reporting the incident (Col. 7, lines 43-50; Col. 8, lines 17-29; Col. 10, lines 58-64; Col. 15, lines 19-24, lines 55-67; Col. 16, lines 1-5, lines 15-27, lines 36-64).

29. Stiegemeier does not teach a computerized system as defined in claim 1 wherein any member of the public at large, not necessitated as being a member of a law enforcement agency can access the system.

30. Tsumpes teaches a computerized system as defined in claim 1 wherein any member of the public at large, not necessitated as being a member of a law enforcement agency can access the system (Col. 3, lines 15-22).

31. It would have been obvious to one of ordinary skill in the art to combine the teachings of Tsumpes and Stiegemeier because they both deal with accessing and creating documentation for events/incidents via a network. Furthermore, the teaching of Tsumpes to allow a computerized system as defined in claim 1 wherein any member of

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the public at large, not necessitated as being a member of a law enforcement agency can access the system would improve the functionality of Stiegemeier's system by allowing for more users to be eligible to access the system and to maintain accurate details pertaining to the events.

32. As per claim 3, Stiegemeier teaches the methods of this invention from claim 2, - by means of an application wizard--facilitate, prompt, guide, lead, a person through the process of creating the logical data components that expressly define the characteristics of an incident (an event) (Col. 1, lines 33-46; Col. 2, lines 12-15; Col. 6, lines 36-47, lines 57-65; Col. 10, lines 65-67; Col. 11, lines 1-13) including methods for:

- eliciting data/information pertaining to the person reporting the incident (Col. 1, lines 34-37, lines 45-49);

- eliciting data/information pertaining to the victim of the incident (Col. 1, lines 34-37, lines 45-49);

- eliciting data/information pertaining to the person suspected of causing the incident (Col. 1, lines 34-37, lines 45-49);

- eliciting data/information pertinent to the incident itself (e.g. date, time) (Col. 22, lines 57-60);

- eliciting data/information pertinent to a specific type of incident (e.g. fraud, pornography, theft, sexual solicitation) (Col. 2, lines 13-15; Col. 16, lines 31-33);

- eliciting data/information pertinent to location (e.g. the location where the incident occurred, the home address of the victim) (Col. 11, lines 35-40);

eliciting data/information that describe or identify any/all persons involved in the incident (e.g. physical descriptors such as height, weight and identifiers such as email name or social security number) (Col. 11, lines 41-44; Col. 12, lines 31-40);

eliciting data/information pertinent to the modus operandi employed during the incident (e.g., subject pretended to be a child) (Col. 16, lines 29-31); and,

eliciting a freeform narrative describing the incident (Col. 16, lines 40-44).

33. As per claim 11, Stiegemeier teaches the application wizard of claim 3 is a deliberate presentation of questions, answers, and statements that when presented to the person reporting the incident and said person selects a specific statement from the set of statements presented or selects a specific answer to a specific question will cause the system to execute specific application logic that facilitates, prompts, guides, leads, the person through the process of creating the incident report relevant to the type of incident (e.g. pornography, stalking) being reported (Col. 1, lines 33-46; Col. 2, lines 12-15; Col. 6, lines 36-47, lines 57-65; Col. 10, lines 65-67).

34. As per claim 12, Stiegemeier teaches the method of claim 11, the application wizard, provides an imbedded intelligence that programmatically derives the type of incident being reported and directs the system to execute application logic directly related to each specific type of incident, thus, creating a process that is intuitive and focused in its collection of relevant data (Col. 1, lines 33-46; Col. 2, lines 12-15; Col. 6, lines 36-47, lines 57-65; Col. 10, lines 65-67; Col. 11, lines 1-13; Col. 16, lines 28-33).

35. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Stiegemeier, in view of Jacobson, Andrea M. (hereinafter Jacobson), US 6,735,701.

36. As per claim 9, Stiegemeier does not teach the method of global access as defined in claim 8 may be limited by the invocation of one or more optional parameters used to define the domain of the data; including, but not limited to: domain limiting parameters such as geographical location of incidents and agency notification qualifiers associated with incidents.

37. Jacobson teaches the method of global access as defined in claim 8 may be limited by the invocation of one or more optional parameters used to define the domain of the data; including, but not limited to: domain limiting parameters such as geographical location of incidents and agency notification qualifiers associated with incidents (Col. 20, lines 39-64).

38. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of Jacobson and Stiegemeier because they both deal with creating reports for events/incidents via a network. Furthermore, the teaching of Jacobson to allow the invocation of one or more optional parameters used to define the domain of the data; including, but not limited to: domain limiting parameters such as geographical location of incidents and agency notification qualifiers associated with incidents would improve the functionality of Stiegemeier's system by limiting the domain range of event/incident documenting in order to avoid the over utilization of system resources where the data per each domain remains the pertinent and relevant data when generating a report.

***Conclusion***

39. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following patents and publications are cited to further show the state of the art with respect to "Public-Initiated Incident Reporting System And Method".

- |     |              |                    |
|-----|--------------|--------------------|
| i.  | US 6,647,328 | Walker, Richard C. |
| ii. | US 6,363,488 | Ginter et al.      |

40. A shortened statutory period for reply to this Office action is set to expire in THREE MONTHS from the mailing date of this action.


41. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nicholas Martin whose telephone number is (571) 272-3970. The examiner can normally be reached on Monday - Friday 8:30 a.m. - 5:30 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John A. Follansbee can be reached on (571) 272-3964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-3970.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

nam  
March 30, 2005

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